

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FREE SPEECH COALITION, INC., et al.	CIVIL ACTION
v.	NO. 09-4607
ELECTRIC FRONTIER FOUNDATION, et al.	

SCHEDULING ORDER

AND NOW, this 15th day of November, 2012, it appearing that oral argument would be helpful, the Court will reschedule the time of oral argument on Monday, November 26, 2012 to 1:30 p.m. to allow counsel to avoid traveling on Sunday.

Although no final decisions have been made, it is likely that this case will proceed into discovery, and counsel should be prepared to address, following the oral argument on the Motion to Dismiss, discovery disputes which have been mentioned in the briefs. As one example, plaintiffs assert that the government should identify the 29 instances of inspections that have previously taken place and the subjects of those inspections. The government asserts that the plaintiffs (namely FSC) should identify those individuals who assert they have been the subject of searches in the amended complaint. The Court would welcome letter briefs of up to three (3) pages addressing this issue, submitted to Chambers no later than noon on November 20, 2012, and intends to have discussion on any open discovery issues following the argument.

The letters from counsel should also identify any other discovery issues which have been discussed between counsel and remain unresolved. If briefing would be appropriate, the Court will allow additional time after November 26, 2012 for this purpose.

BY THE COURT:

/s/ **Michael M. Baylson**

MICHAEL M. BAYLSON, U.S.D.J.